

**STILLWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
March 23, 2015**

MEMBERS PRESENT: Mr. Powell, Mr. Hammond, Mr. Sarni, Mr. Lippencott, Mr. Stachura, Mrs. Draghi, Mr. Wykoff

MEMBERS ABSENT: None

A REGULAR MEETING OF THE Stillwater Township Zoning Board of Adjustment was held on Monday, March 23, 2015, at 7:30 p.m. at the Municipal Building in Middletown, New Jersey. The meeting was called to order by Chairperson Powell in accordance with the Open Public Meetings Act. The flag was saluted and roll call taken.

Samuel Wykoff was appointed by the Township Committee to fill the unexpired term of Krista Galante, regular member, term expiring 12/31/16 and he was sworn in by the Municipal Clerk prior to the meeting.

MINUTES

Mr. Stachura made a **motion** to approve the minutes of February 23, 2015, seconded by Mr. Sarni.

Roll Call Vote: Mr. Hammond, abstain, Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Wykoff, abstain, Mr. Powell, yes

RESOLUTION

Passafaro, Block 801 Lot 8, Cal. No. 589

Mrs. Draghi made a **motion** to adopt the Resolution, seconded by Mr. Stachura.

NOW, THEREFORE, BE IT RESOLVED by the Stillwater Township Zoning Board of Adjustment that the Application of Michael Passafaro is hereby denied without prejudice.

Roll Call Vote: Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Powell, yes

RESOLUTION

Patrick, Block 703, Lot 1.03, Cal. 587, Amended Resolution

Mrs. Draghi made a **motion** to adopt the Resolution with the following terms and conditions:

1. The garage shall not be used for human habitation.
2. No one shall live in the garage. No toilet shall be installed in the garage which is connected to the septic system on the lot.
3. The garage shall contain a maximum of 1,200 square feet.
4. The garage shall be set back farther from Hampton Road than the existing single family residential dwelling.
5. The garage shall be constructed a minimum of 300 feet from Spring Brook.
6. The Applicant shall stake out the location of the garage for the Construction Official prior to the issuance of a building permit.
7. The Applicant shall file an as-built plan with the Zoning Board of Adjustment and the Construction Official after it is constructed.
8. The garage shall be constructed in the location shown on the variance map.
9. The garage shall not exceed 15 feet 10 inches in height.
10. A maximum of three (3) motor vehicles shall be stored in the new garage to be constructed.
11. If Hampton Road is damaged during the construction of a dwelling on Applicant's lot, Applicant shall repair the same to the satisfaction of the Construction Official of Stillwater Township and Zoning Board Engineer on 72 hours notice from the Township Construction Official or else the building permit and/or the Certificate of Occupancy may be revoked, withheld or suspended.
12. The Applicant shall reimburse the Township for the costs of inspections of the property and roads and review of the plan by the Zoning Board of Engineer. The Applicant shall post an adequate deposit with the Township as required by the Zoning Board Engineer prior to a building permit being issued and shall replenish the deposit if and when it has been fully utilized. Any unused escrow deposit shall be returned to the Applicant upon the issuance of a certificate of occupancy.
13. The within variance expires within nine (9) months from the date of this Resolution unless implemented pursuant to the ordinances of Stillwater Township.
14. Applicant shall comply with all other laws, rules and regulations in implementing the variances.
15. No permanent certificate of occupancy shall be issued until all conditions of the Resolution have been met.
16. All taxes and fees shall be paid to the Township of Stillwater.

Roll Call Vote: Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Powell, yes

BILLS:

Mr. Sarni made a **motion** to approve the following bills, seconded by Mr. Stachura:

Dolan & Dolan	General – February 2015	\$ 80.50
	Escrow – Passafaro	\$186.76
	Escrow – Patrick	\$173.88
Guerin & Vreeland Engineering	Escrow – Martin	\$345.00
NJPO	Mandatory Training – S. Wykoff	\$114.00
Escrow Refund	Bach	\$395.00

Roll Call Vote: Mr. Hammond, yes, Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Wykoff, yes, Mr. Powell, yes

Correspondence:

NJPO Planner – January/February 2015

At this point, this portion of the meeting was opened to the public at 7:36 p.m. There being no members of the public wishing to speak, this portion of the meeting was closed at 7:36 p.m.

Committee Liaison Report: Charles Gross, Committeeman

Mr. Gross reported the Zoning Board budget for 2015 was approved as submitted. The Board briefly discussed the guiderail installation for the Martin application. Mr. Vreeland, Township Engineer, has made his recommendations regarding the guiderail. A certificate of approval has not been issued for the retaining wall as that approval is contingent on the garage completion and all conditions being satisfied. Mr. Rodman is monitoring all conditions and will submit a report once they are fulfilled.

There being no further business, Mr. Hammond made a **motion** to adjourn the meeting, seconded by Mr. Lippencott. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder, Board Secretary

Eric Powell, Chairperson